

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BRENNAN M. GILMORE,

Plaintiff,

v.

ALEXANDER E. (ALEX) JONES, et al.,

Defendants.

No. 3:18-cv-00017-NKM-JCH

**DECLARATION OF ANWAR L. GRAVES IN SUPPORT OF
MOTION TO COMPEL DISCOVERY**

I, Anwar L. Graves, pursuant to 28 U.S.C. § 1746, declare and state as follows.

1. I am counsel with the law firm of O'Melveny & Myers LLP, 1625 Eye Street, NW, Washington, D.C. 20006. I am a member in good standing of the Bar of the District of Columbia and I have been admitted *pro hac vice* in this matter. O'Melveny & Myers LLP is counsel to Plaintiff Brennan Gilmore in this matter. I submit this declaration in support of Plaintiff's Motion to Compel Discovery. I have personal knowledge of the following facts and, if called and sworn as a witness, could and would testify to them.

2. I have attached, as Exhibit A, a true and correct copy of correspondence between me and my O'Melveny colleague Hassen A. Sayeed, on the one hand, and Lee Stranahan on the other, between April 6, 2020 and April 27, 2020.

3. I have attached, as Exhibit B, a true and correct copy of correspondence that I received from Mr. Stranahan on April 28, 2020.

4. I have attached, as Exhibit C, a true and correct copy of a redline generated to show changes between the Responses to Plaintiff's First Set of Interrogatories filed by Baker

Hostetler on behalf of Lee Ann McAdoo and the Responses to Plaintiff's First Set of Interrogatories filed by Mr. Stranahan.

5. I have attached, as Exhibit D, a true and correct copy of a redline generated to show changes between the Responses to Plaintiff's First Set of Requests for Production filed by Baker Hostetler on behalf of Lee Ann McAdoo and the Responses to Plaintiff's First Set of Requests for Production filed by Mr. Stranahan.

6. I have attached, as Exhibit E, a true and correct copy of correspondence between Mr. Sayeed, on the one hand, and Mr. Stranahan on the other, on June 1, 2020.

7. I have attached, as Exhibit F, a true and correct copy of correspondence between me, on the one hand, and Mr. Stranahan on the other, between June 17 and June 24, 2020.

8. I have attached, as Exhibit G, a true and correct copy of correspondence I received from Mr. Stranahan on June 25, 2020.

9. I requested and attended a meet and confer with Mr. Stranahan on June 8, 2020 to discuss correspondence that Mr. Sayeed had sent to Mr. Stranahan on June 1, 2020.

10. During our June 8 meet and confer, Mr. Stranahan stated that he had not closely reviewed Mr. Sayeed's letter and requested that we schedule another call for the following week.

11. I told Mr. Stranahan that we could convene a second meet and confer after he was able to review Mr. Sayeed's letter more closely. I explained each request outlined in Mr. Sayeed's letter to Mr. Stranahan asking that Mr. Stranahan supplement his responses to Plaintiff's Requests for Production and Interrogatories.

12. Mr. Stranahan stated that while he had not closely reviewed Mr. Sayeed's letter, he did not believe all of the Requests in Plaintiff's First Set of Requests for Production of

Documents applied to him. He stated that for some of the requests he had no responsive documents.

13. I requested that, for requests where Mr. Stranahan knew he had no responsive documents, he state this expressly in supplemental responses.

14. I also reminded Mr. Stranahan that he had not served Initial Disclosures, which were due on March 5.

15. Mr. Stranahan stated that he would serve his Initial Disclosures on June 15.

16. On June 12, 2020, Elizabeth Scully sent a letter to Mr. Sayeed on behalf of the defendants represented by Baker Hostetler. In the letter, Ms. Scully responded to Plaintiff's requests that her clients supplement their responses to Plaintiff's First Set of Requests for Production of Documents and Plaintiff's First Set of Interrogatories.

17. On June 15, 2020, I attended a second meet and confer with Mr. Stranahan.

18. During the June 15, 2020 meet and confer, Mr. Stranahan stated that he planned to adopt the arguments in Ms. Scully's letter and would reference that letter in his response to Mr. Sayeed's June 1 letter. Mr. Stranahan also stated that he would not provide any supplemental responses, but that he would produce a resume. Mr. Stranahan further stated that he would require additional time to serve his Initial Disclosures.

19. During the June 15, 2020 meet and confer, I acknowledged Mr. Stranahan's request for additional time to serve Initial Disclosures. I also requested that Mr. Stranahan confirm when he would produce documents. Mr. Stranahan requested during the meet and confer that I repeat my request via email, impose a deadline to produce documents, and provide the search terms that Baker Hostetler had agreed to apply.

20. Mr. Stranahan ultimately served his Initial Disclosures and a letter adopting Baker Hostetler's arguments regarding Plaintiff's discovery requests on June 25, 2020.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Executed this 2nd day of July in Washington, D.C.

/s/ Anwar L. Graves

Anwar L. Graves